

The Honorable Ronald B. Leighton

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

PATRICIA BLACKBURN, DAVID
CARPENTER, JACOB DAU, DENNIS
FANT, BONIFACIO FORNILLOS,
AKANELE IMO, JOSE LOPEZ, RALPH
PETERSON, and MATTHEW STALEY,

Plaintiffs,

v.

STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES; WESTERN
STATE HOSPITAL; DALE
THOMPSON, individually and in his
official capacity as COO of Western State
Hospital; and DR. MARY LOUISE
JONES, individually and in her official
capacity as Director of the Center for
Forensic Studies,

Defendants.

NO. CV11-5385RBL

ORDER GRANTING JOINT
MOTION FOR PROTECTIVE
ORDER REGARDING
NONPARTY PATIENT
RECORDS

THIS MATTER having come before the Honorable Ronald B. Leighton, upon the Joint Motion for Protective Order Regarding Nonparty Patient Records, the Court finds that the parties have complied with the provisions of RCW 70.02.060 in the Uniform Health Care Information Act and 45 CFR § 164.512 by notifying patient M.P. of the request and giving him an opportunity to seek a protective order to prohibit the release of this information, and that good cause exists for the production of these document and records, it is hereby

1 ORDERED that documents responsive to the parties' joint motion shall be produced by
2 Western State Hospital subject to this Protective Order in accordance with RCW 71.05.390(19)
3 to safeguard the confidentiality of the requested materials and information; it is further

4 ORDERED that documents responsive to the parties' joint motion shall be produced
5 subject to the parties' stipulated Protective Order Regarding Confidentiality and Filing,
6 approved of concurrently with this order; it is further

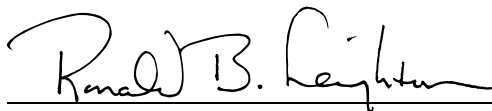
7 ORDERED that responsive documents shall be used consistent with the restrictions in
8 RCW 71.05.390(19), and solely for the purposes of litigation in this case unless M.P. or his
9 legal guardian, if applicable, authorizes its use for any other particular purpose; it is further

10 ORDERED that responsive documents used for the purposes of litigation in this case
11 shall be redacted in accordance with the General Order of the Court regarding Public Access to
12 Electronic Case Files and the patient's name redacted to reflect only his initials and the names
13 of other patients found in M.P.'s records shall be redacted in whole; it is further

14 ORDERED that responsive documents shall be returned to defendant Western State
15 Hospital or destruction of the protected health information, including all copies made, at the
16 end of the litigation; and it is further

17 ORDERED that nothing contained in this Protective Order shall affect the right of any
18 party, counsel or witness to make any other type of objection or claim, nor will this Protective
19 Order prevent a party or counsel from applying to the Court for relief therefrom, or from
20 applying to the Court for an additional protective order, or for modification of this Order.

21 DATED this 13th day of June, 2012.
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Ronald B. Leighton
United States District Judge

1 Presented By:

2 ROBERT M. MCKENNA
3 Attorney General

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